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**From:** Templeton, Hallie [HTempleton@foe.org]  
**Sent:** 6/5/2020 4:46:39 PM  
**To:** Damico, Katy R CIV USARMY CESAJ (USA) [Katy.R.Damico@usace.army.mil]  
**CC:** Nobles, Nakeir L CIV USARMY CESAJ (USA) [Nakeir.L.Nobles@usace.army.mil]; Hogan-Charles, Melinda G CIV USARMY CESAJ (USA) [Melinda.G.Hogan-Charles@usace.army.mil]; Tyler, Kip [Tyler.Kip@epa.gov]  
**Subject:** RE: Status of Velella Epsilon/Ocean Era permit (Sect. 10 Rivers & Harbors Act) (UNCLASSIFIED)

Thank you, Katy. This is helpful and I appreciate your responsiveness. If I may ask one clarifying question: does this mean that there will not be a public commenting period on the LOP determination for Velella Epsilon?

Hallie

-----Original Message-----

From: Damico, Katy R CIV USARMY CESAJ (USA) <Katy.R.Damico@usace.army.mil>  
Sent: Friday, June 5, 2020 12:21 PM  
To: Templeton, Hallie <HTempleton@foe.org>  
Cc: Nobles, Nakeir L CIV USARMY CESAJ (USA) <Nakeir.L.Nobles@usace.army.mil>; Hogan-Charles, Melinda G CIV USARMY CESAJ (USA) <Melinda.G.Hogan-Charles@usace.army.mil>; Tyler, Kip <tyler.kip@epa.gov>  
Subject: RE: Status of Velella Epsilon/Ocean Era permit (Sect. 10 Rivers & Harbors Act) (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Ms. Templeton,

Thank you for reaching out to the Corps. To date, we have not issued a final Department of the Army (DA) permit authorization for this project. We are currently waiting on the USEPA to make their final decision.

The Corps is evaluating the project for a DA permit authorization via a Letter of Permission (LOP) pursuant to Section 10 of the Rivers and Harbors Act of 1899 (RHA) (33 U.S.C. Section 403). Section 10 requires prior authorization for structures and work in, over, under, and affecting navigable waters. The Corps regulates placement of aquaculture facilities in federal ocean waters pursuant to Section 10 of the RHA and associated regulations, as extended by the Outer Continental Shelf Lands Act (OCSLA). Under this authority, operators must obtain a Section 10 permit prior to installing any offshore aquaculture infrastructure, such as net pens and lines, provided that it is an "installation or other device" and is attached to the seabed. The Section 10 authorization assesses the proposed structure(s) impact on general navigation.

The Corps does not post draft permit announcements. The Corps issues all public notices at the beginning of our permit process to generate comments. The LOP did not require a public notice. Pursuant to 33 CFR 325.2(e)(1), LOPs are a type of permit issued through an abbreviated processing procedure which includes coordination with Federal and state fish and wildlife agencies, as required by the Fish and Wildlife Coordination Act, and a public interest evaluation, but without the publishing of an individual public notice.

Please feel free to contact me with any additional questions.

Respectfully,  
Katy R. Damico  
U.S. Army Corps of Engineers - Jacksonville District Tampa and Fort Myers Permits Sections

-----Original Message-----

From: Templeton, Hallie [mailto:HTempleton@foe.org]  
Sent: Wednesday, June 3, 2020 3:40 PM  
To: Damico, Katy R CIV USARMY CESAJ (USA) <Katy.R.Damico@usace.army.mil>  
Subject: [Non-DoD Source] Status of Velella Epsilon/Ocean Era permit (Sect. 10 Rivers & Harbors Act)

Hi Katy,

I hope my email finds you doing well amid all the chaos these days. Kip Tyler suggested that I reach out to you.

I'm hoping to check in and see if you could provide any sort of timing or status update for the USACE Sec. 10 permit for the Vellella Epsilon/Ocean Era pilot project off the coast of Sarasota, FL? Has there already been an announcement of a draft permit?

Just curious about planning around any upcoming commenting periods and the like. I would love to sign up to be alerted for any updates on this front if there is a way to do so.

Many thanks! Anything you can offer here would be greatly appreciated.  
Hallie

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Friends of the Earth

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CLASSIFICATION: UNCLASSIFIED